

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
Centerline J.M. Pearce Road, * ZONING COMMISSIONER
1547' S of Sheppard Road *
10th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
Garrett Power, Gordon G. * Case No. 90-453-SPH
Power and Stephen V. Power, *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein requested a special hearing to approve a proposed (a) subdivision and transfer of a 21.160 acre parcel containing one building lot to two adjacent landowners, so that one landowner receives 9.76 acres with the building lot and the other landowner receives 11.4 acres by a non-density transfer (i.e. the transfer of land whose area does not contain any dwelling or density units); and (b) reconfiguration and clustering of density units among the 21.160 acre parcel and the adjoining parcels to reconfigure the five building lots thereon, with the net effect that there will be no increase in the total number of permitted building lots on the resulting tracts, as shown on Petitioners' after received Exhibits 1 and 2.

The Petitioners, by Carl Larson and Robert C. Kellner, appeared and were represented by Neil J. Schechter, Esquire. Also appearing on behalf of the Petitioners was Mr. George Gavrelis, a professional land planner with Daft-McCune-Walker, Inc., Land Planning, Landscape Architecture and Environmental

Deesign. Garrett Power, one of the Petitioners, attended the hearing, but did not testify. There were no protestants.

The subject property, which presently consists of three contiguous parcels of approximately 38.257 acres (owned by Carl and Varrell P. Larson), 21.160 acres (owned by the Petitioners), and 7.11 acres (owned by Robert and Lou Ann Kellner), is zoned R.C. 2, and is located on the east side of J. M. Pearce Road, approximately seven tenths of a mile northwest of Markoe Road as shown on Petitioners' after received Exhibit 1. Testimony indicated that the subject property is for the most part gently rolling agricultural land, with some heavily wooded areas. The 38.257 acre parcel is improved with one principal residence, a barn, and other agriculturally related structures. The 21.160 acre parcel is unimproved. The 7.11 acre parcel is improved with one principal residence and a barn. Portions of the subject property currently are used for horse pasture and for growing hay and other crops.

The Petitioners took legal title to the 21.160 acres on February 19, 1988, and subsequently contracted to sell the 21.160 acres of land to Carl Larson and Varrell P. Larson and to Robert C. Kellner and Lou Ann Race Kellner (collectively, the "Contract Purchasers").¹

¹The Larsons and the Kellners have proposed dividing the 21.160 acre parcel between them so that the Larsons will own the 9.76 acres adjacent to their present 38.257 acre parcel, and the Kellners will own the 11.4 acres adjacent to their 7.11 acre parcel.

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Pursuant to Section 1A01.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), the 21.160 acre parcel may not be divided into more than one building lot; the 7.11 acre parcel may be divided into two building lots since the parcel was created prior to 1979 (copies of the deeds of conveyance for the 7.11 acres were submitted into the record with the legal description of the 7.11 acres outlined in yellow thereon; and by taking judicial notice of the Order of the Zoning Commission in Case No. 89-383-SPH, the Zoning Commissioner recognized that the 38.257 acre parcel may be subdivided into two building lots. This yields a total of 5 building lots as summarized below:

38.257 acre parcel -	2 building lots
7.11 acre parcel -	2 building lots
21.160 acre parcel -	1 building lot
TOTAL	5 building lots

The three existing parcels are outlined on Petitioners' after received Exhibit 1.

In order to preserve the agricultural character of the subject property, the Petitioners seek relief from the provisions of Section 1A01.3.B.1 of the B.C.Z.R. to permit them to reconfigure the subject property to obtain (i) three building lots containing 3.3 acres, more or less, 3.5 acres, more or less, and 41.2 acres, more or less, and identified as L-1, L-2 and L-3, respectively, on Exhibit 2; and (ii) two building lots, one containing 3.4 acres, more or less, and the other 15.1 acres,

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more or less, as identified as K-1 and K-2, respectively, on Exhibit 2, with the net effect being as follows:

Larsons	- 2 reconfigured building lots (L-1 and L-2) present house (L-3)
Kellners	- 1 reconfigured building lot (K-1) present house (K-2)
TOTAL	5 building lots

The resulting building lots are shown on Petitioners' Exhibit 2. The precise location of Lots L-1, L-2 and K-1 shown on the final plat of subdivision may differ from the location shown on Exhibit 2, and the final building envelopes of the reconfigured Lots L-1, L-2 and K-1 may be adjusted from that shown on Exhibit 2, in order to obtain buildable lots that conform with Baltimore County regulations and accepted development engineering considerations. Any adjustment in the location of the lots or in the building envelopes required by such regulations and development or engineering considerations will first seek to relocate the lots and building envelopes towards the ridge and away from the focus of agricultural activity on the subject property. Any proposed reconfiguration of Lots L-1, L-2 or K-1 shall be submitted to Zoning Commissioner for prior approval.

Mr. George Gavrelis testified that the overall plan of clustering the building lots as shown on Exhibit 2 in connection with existing and potential agricultural and pasturing activities provides a good and sensible framework for planned development, fosters conditions which are favorable to agricultural use, and

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will help preserve the continued agricultural use of productive agricultural areas.

Mr. Gavrelis further testified that the Petitioners' plan was consistent with the spirit and intent of the Baltimore County Zoning Regulations and that there will be no adverse impact on the public health, safety and welfare of the community if the Petitioners' plan is approved.

Mr. Paul D. Solomon, Program Administrator for the Agricultural Land Preservation Program, Department of Environmental Protection and Resource Management, testified that he had visited the subject property and believes that the proposed plan for the subject property is consistent with the agricultural goals and purposes of the prime and productive soil regulations, as required by County Council Bill No. 134-89. Mr. Solomon further testified that the location of the proposed lots is on soils which are not generally classified as prime and productive and the location does not conflict or detract from the agricultural operations presently being conducted or which potentially could be employed on the subject property. Mr. Solomon also testified that although the lot sizes are larger than the 60,000 square feet which the prime and productive soils policy promotes, it is consistent with neighboring lots and lot sizes found in the general immediate area. Finally, Mr. Solomon testified that the proposed lots and the dwelling envelopes are

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"clustered" in such a way to enhance the agricultural use of the adjacent land.

The Petitioners' request must be analyzed in light of the provisions of Section 1A00.2 of the B.C.Z.R., stating that the purposes of the Resource Conservation (R.C.) zones are to:

- discourage present land use patterns of development and to create a framework for planned or orderly development;
- provide sufficient and adequate areas for rural-suburban and related development in selected and suitable areas;
- protect both natural and man-made resources from compromising effects of specific forms and densities of development; [and]
- protect areas desirable for more intensive future development by regulating undesirable forms of development within these areas until such time as intensive development commences.

As set forth in Section 1A01.1.B of the B.C.Z.R., the R.C. 2 zone was established "to foster conditions favorable to a continued agricultural use of the productive agricultural areas of Baltimore County by preventing incompatible forms and degrees of urban use". The foregoing criteria can be summarized in two general ways: a) conservation of agricultural uses, and b) providing for suitable, orderly development that is compatible with such agricultural uses. The Petitioners' request fulfills these criteria.

The transfer of non-density parcels is an integral part of the overall plan for the assemblage of properties, and, for the reasons stated above, will promote the enumerated purposes of

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R.C. zones in the conservation of agricultural uses. This type of non-density transfer is described in Zoning Commissioner's Policy RSD-8 which permits such non-density transfers.

The Petitioners' requests are within the spirit and intent of the B.C.Z.R. provisions respecting R.C. 2 zones. The plan as set forth in Petitioners' request will retain and foster conditions favorable to the continued agricultural use and productive agricultural areas of Baltimore County, and there will be no adverse impact on the public health, safety, and welfare of the community.

Pursuant to the advertisement, posting of the subject property and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th of February 1991, that pursuant to Zoning Commissioner Policies RSD-8 and RSD-10 dealing with the transfer and cluster of density and the reconfiguration of three parcels of land, that the property located on J. M. Pearce Road, as shown on Petitioners' after received Exhibit 1, be reconfigured, and further, that the clustering of density units and the non-density transfer of a portion of the subject property, as more clearly defined below and as shown on Petitioners' after received Exhibit 2, be approved as follows:

- A 9.76 acre portion of the 21.160 acre parcel will be conveyed to the owners of the 38.257 acre

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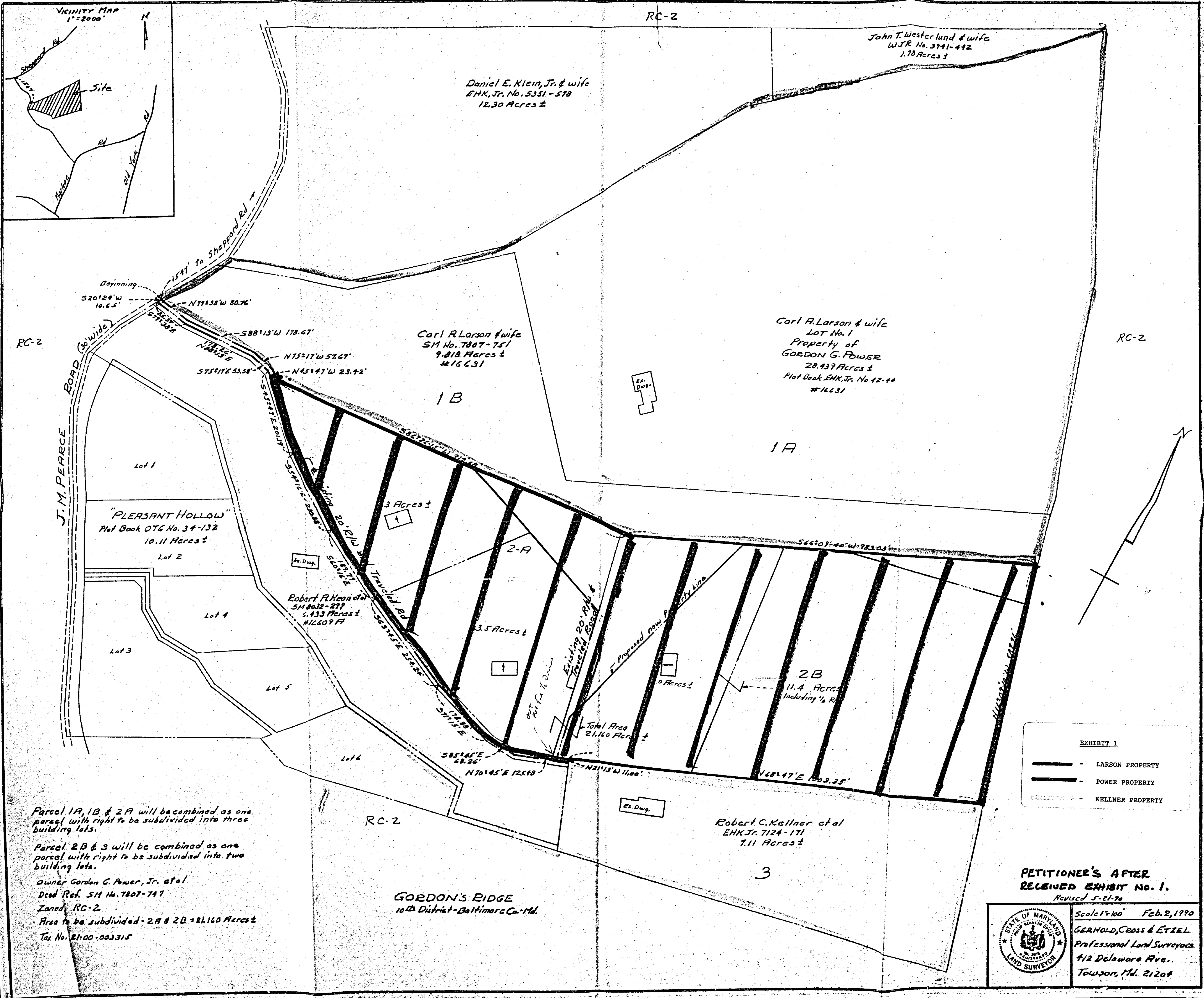
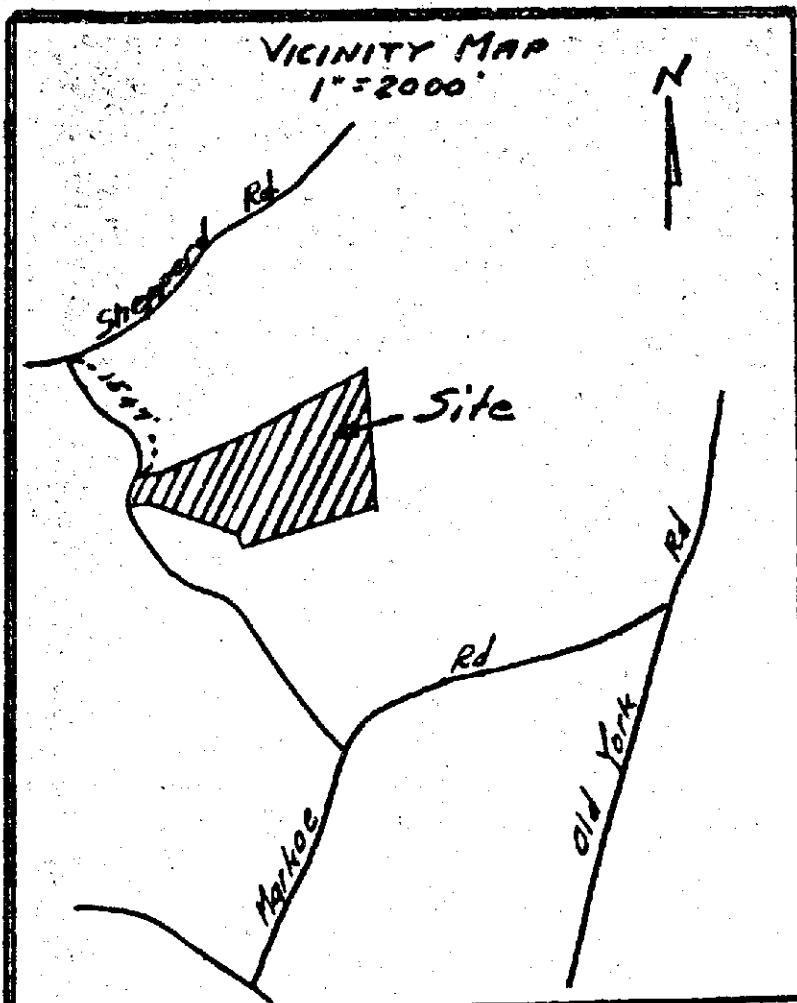
parcel. The combined property, consisting of 48.017 acres, will be subdivided into three building lots (shown on Petitioners' after received Exhibit 2 as Lots L-1, L-2 and L-3). Two of the density units are obtained from the original 38.257 acre parcel and one density unit is obtained from the 21.160 acre parcel;

- An 11.4 acre portion of the 21.160 acre parcel will be conveyed to the owners of the 7.11 acre parcel in a non-density transfer, to create an 18.51 acre parcel with two building lots (shown as Lots K-1 and K-2 on Petitioners' after received Exhibit 2). The two density units are obtained from the original 7.11 acre parcel;

and as such, the Petition for Special Hearing is hereby GRANTED, subject, however, to the following restrictions:

- All of the permitted density for the aforementioned parcels, specifically the 38.257 acre parcel, the 7.11 acre parcel and the 21.160 acre parcel, as combined and reconfigured (and as shown on Petitioners' after received Exhibit 2 as Parcels K and L), shall hereinafter be considered utilized.
- All deeds from the Petitioners conveying any part of the subject property shall refer to this Order by reference to the Case Number. The deeds to the building lots (shown as Lots L-1, L-2, L-3, K-1 and K-2 on Petitioners' after received Exhibit 2) shall all clearly state that the lot (however so designated) may not be further subdivided under present R.C. 2 zoning. Copies of all such deeds shall be submitted to the Zoning Commissioner within thirty (30) days of the date of conveyance of any parcel and made a part of this case file.
- Petitioners shall prepare and submit a final development plan to the Department of Environmental Protection and Resource Management which complies with the prime and productive soils regulation pursuant to County Council Bill 134-89. The development plan shall show all current primary and accessory structures on the subject property. Further, the plan shall be submitted to the Zoning Commissioner for final approval on or before July 1, 1996 and in any event prior to approval of any Final Development Plan for the subject property.

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Parcel 1A, 1B & 2A will be combined as one parcel with right to be subdivided into three building lots.

Parcel 2B & 3 will be combined as one parcel with right to be subdivided into two building lots.

Owner Gordon G. Power, Jr. et al
Deed Ref. SM No. 7807-747

Zoned: RC-2

Area to be subdivided - 2A & 2B = 21.160 Acres ±

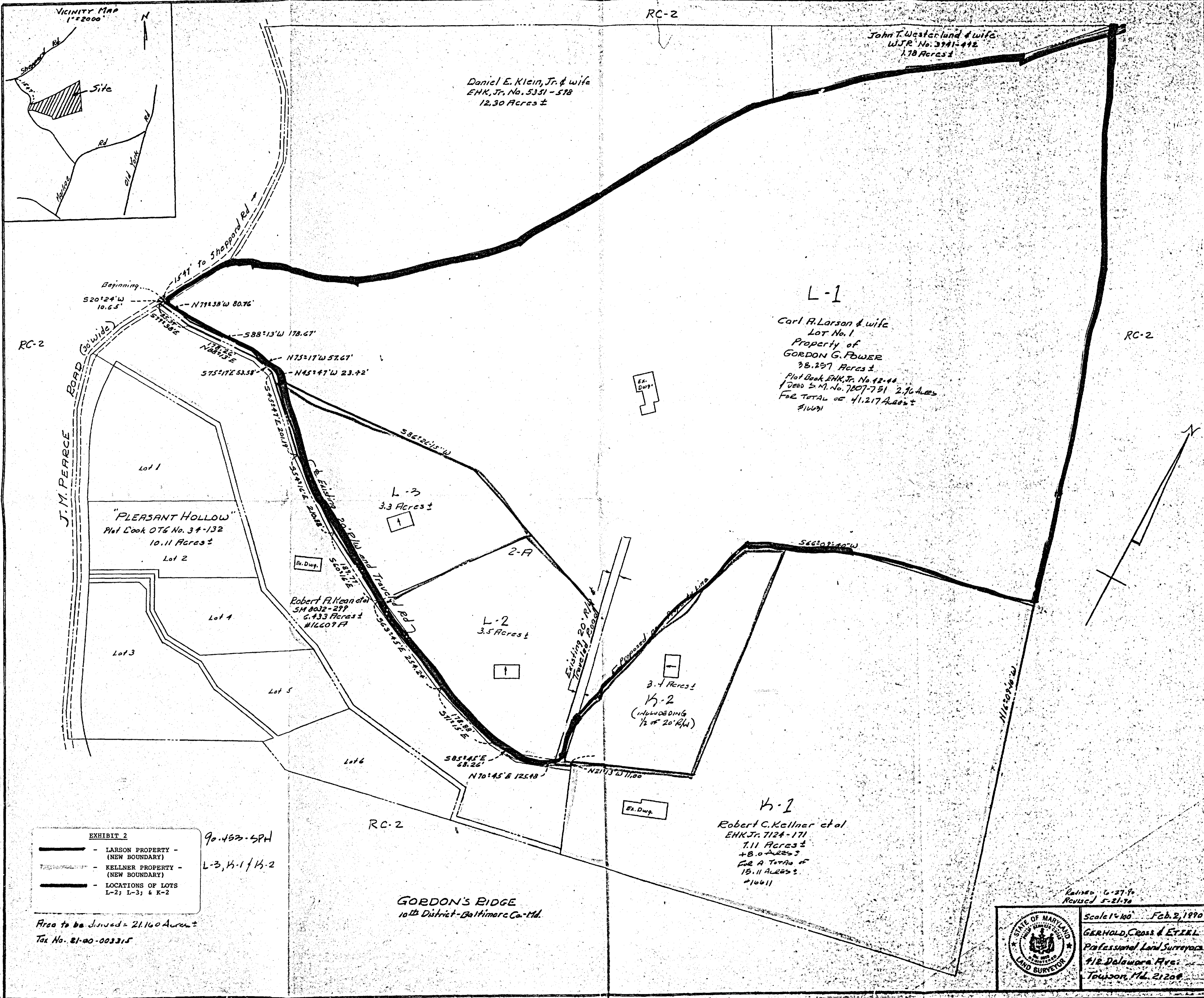
Tax No. 21-00-003315

GORDON'S RIDGE
10th District - Baltimore Co. - Md.

PETITIONER'S AFTER
RECEIVED EXHIBIT NO. 1.
Revised 5-21-70



Scale 1"=100' Feb. 2, 1990
GERHOLD, CROSS & ETZEL
Professional Land Surveyors
412 Delaware Ave.
Towson, Md. 21204



Free to be disused = 21.160 Acres
Tax No. 21-00-009315

90.453.5PH
L-3, K-1 / K-2

GORDON'S RIDGE
10th District - Baltimore Co. - Md.

H-1
Robert C. Kellner et al
EHKJR 7124-171
7.11 Acres ±
+ 8.0 Acres ±
For A Total of
15.11 Acres ±
#16611

Revised 6-27-90
Revised 5-21-90

Scale 1"=100' Feb. 2, 1990
GERHOLD, CROSS & EITZEL
Professional Land Surveyors
412 Delaware Ave.
Towson, MD 21204

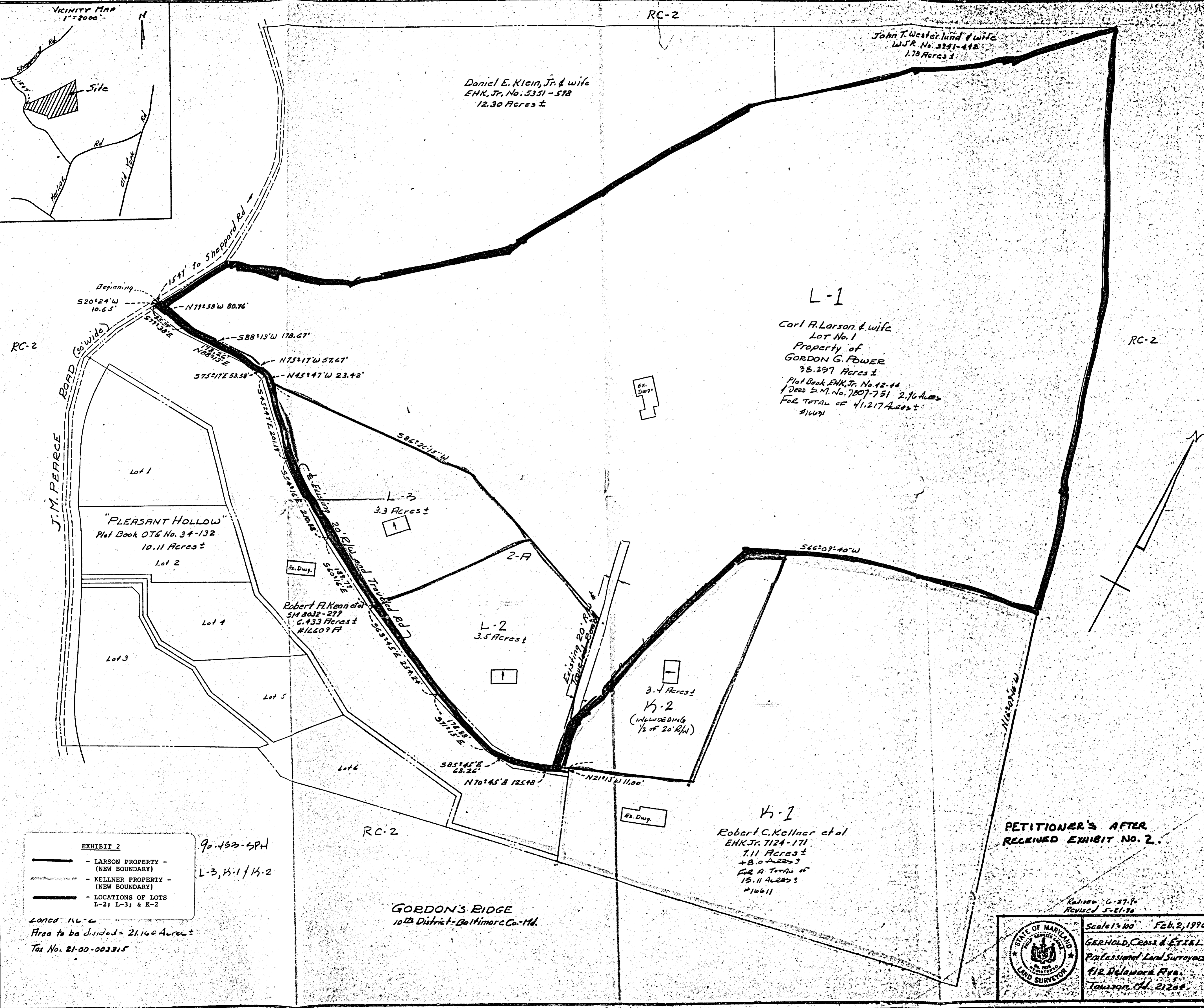
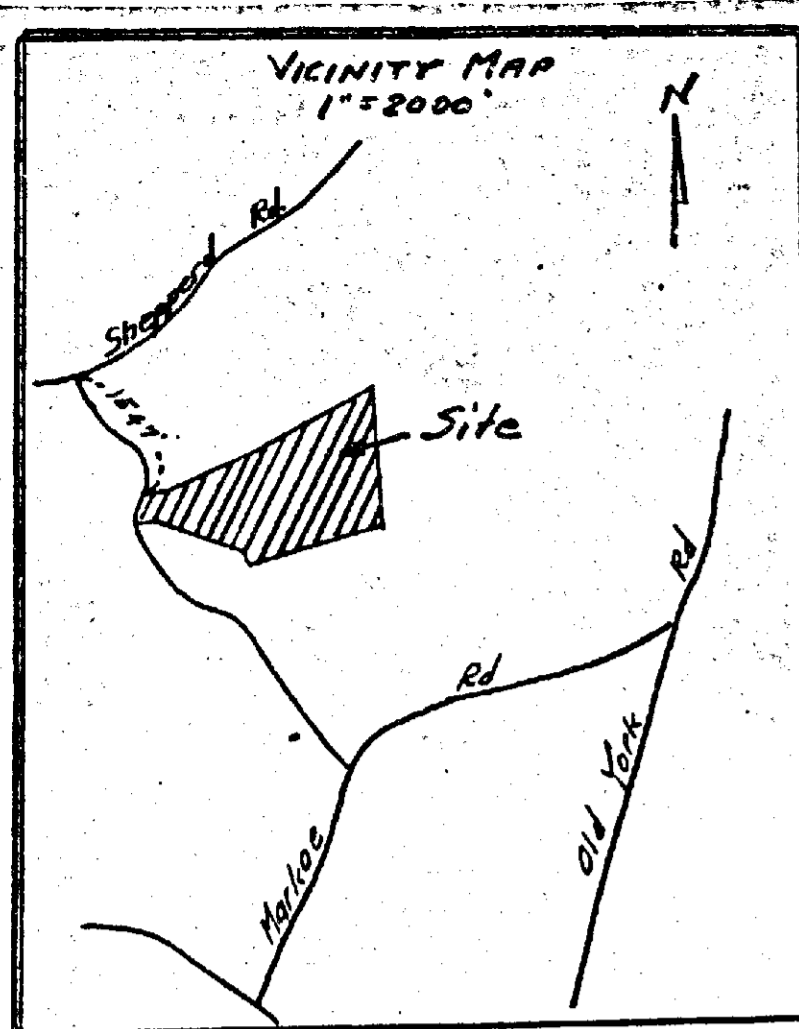


EXHIBIT 2

- LARSON PROPERTY - (NEW BOUNDARY)
- KELLNER PROPERTY - (NEW BOUNDARY)
- LOCATIONS OF LOTS L-2; L-3; & K-2

Longer RL-2
Area to be divided = 21.160 Acres ±
Tax No. 21-00-003315

90.462-SPH
L-3, K-1 / K-2

PETITIONER'S AFTER
RECEIVED EXHIBIT NO. 2.



Scale 1" = 100' Feb. 2, 1990
GERHOLD, CROSS & ETAL
Professional Land Surveyors
412 Delaware Ave.
Towson, Md. 21204

PETITIONER'S EXHIBIT 3

BALTIMORE COUNTY, MARYLAND
90-453SPH INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
DATE: May 23, 1990
FROM: Mr. Paul J. Solomon
SUBJECT: Petition for Special Hearing
J.M. Pearce Road - Item #293

This memo replaces correspondence dated April 3, 1990 which contains comments from this agency in regard to the above-referenced petition. Our comments are directed to you in regard to the policies this agency has established under County Council Bill #134-89. A copy of the interim policy is attached.

Based on the revised site plan dated May 21, 1990, a copy of which is attached, it has been determined that the approval of this petition would be consistent with the protection of prime and productive soils as required by County Council Bill #134-89.

The determination of consistency in this case is based on the following:

- 1) The location of the proposed lots is on soils which are not generally classified as prime and productive and the location does not significantly conflict or detract from the agricultural operations presently being conducted or which potentially could be employed on this property.
- 2) While the lot size is significantly larger than the 60,000 square foot maximum which the policy advocates, it is consistent with adjacent lot sizes and with lot sizes found in the general immediate area.
- 3) The proposed lots and the dwelling envelopes are more or less "clustered" in such a way that conflicts with the agricultural use of the adjacent land are minimized.

It is recommended that any order approving this petition contain conditions requiring the location of the proposed lots to be consistent with the attached plat. Additionally, the lot sizes should not exceed those shown.

Paul J. Solomon
Paul J. Solomon, Program Administrator
Agricultural Land Preservation Program
Department of Environmental Protection
and Resource Management

PJS:tjg
Attachments

PETITIONER'S EXHIBIT 4

90-453SPH
BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

INTERIM APPLICATION OF
BALTIMORE COUNTY COUNCIL BILL No. 134-89
April 1, 1990

County Council Bill No. 134-89 requires this agency to establish policies "to promote agricultural uses and protect Baltimore County's soil resources". In order to prevent unnecessary and/or unwarranted delays in processing plans and/or plats and for the purpose of avoiding uncertainty in regard to the effect of this legislation in general, the following interim policy is effective immediately.

Any plan and/or plat submitted to this agency for development approval that involves RC-2, RC-3 or RC-4 zoning needs to be reviewed by the Baltimore County Department of Environmental Protection and Resource Management to determine its consistency with the interim policy detailed below. All other existing requirements of the Baltimore County Zoning Regulations continue to be applicable.

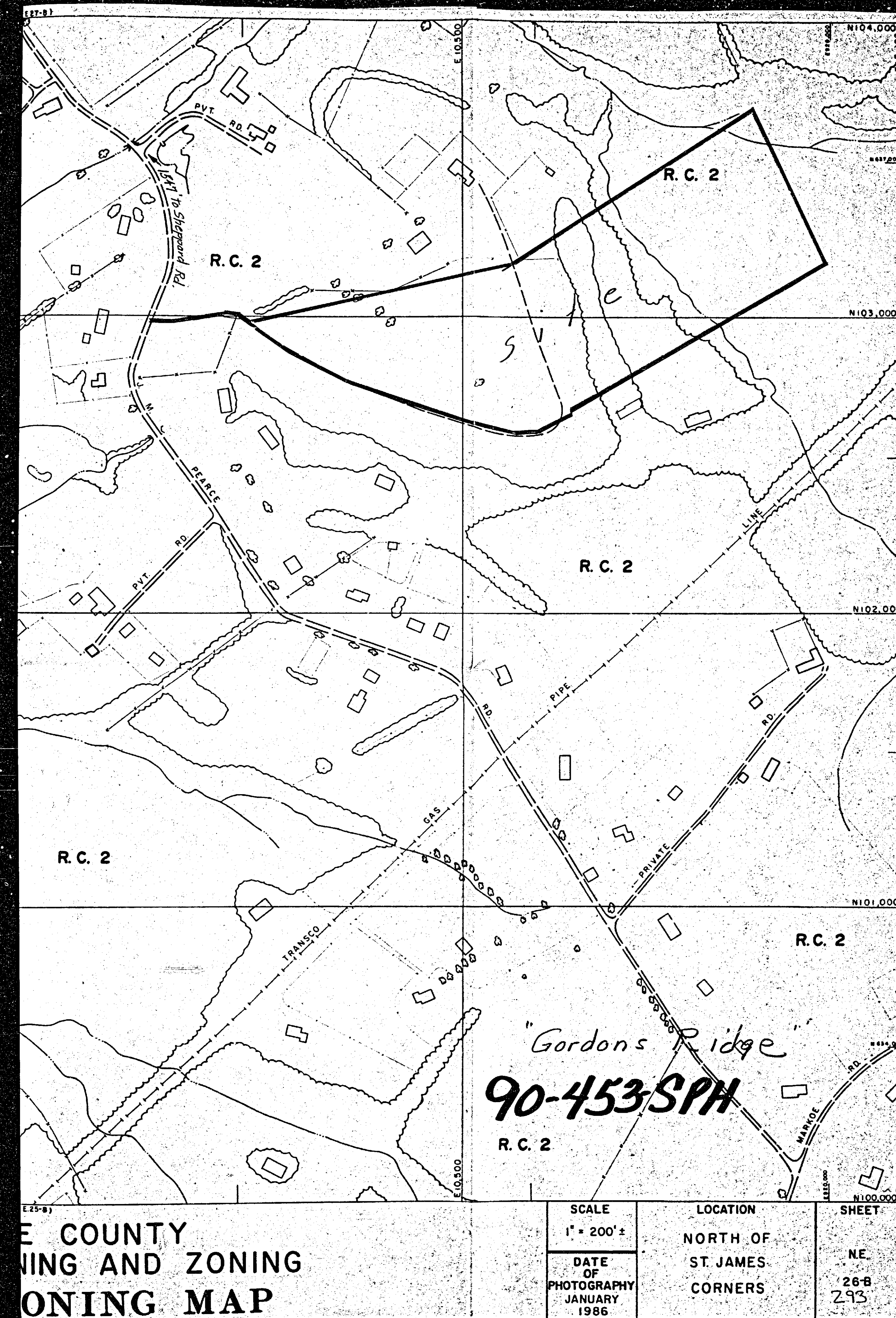
RC-2 and RC-4 zoned land within the "Agricultural Preservation Areas" as established in the draft Baltimore County Master Plan, 1989-2000 shall be subject to the following additional requirements. (No RC-3 exists within "Agricultural Preservation Areas".)

1. Lots created within RC-2 zoned areas shall be 60,000 square feet or less or greater than 50 acres in size except that ~~variances~~ can be made in regard to these standards based on sewerage and water system requirements; unique physical characteristics of the site; adjacent development characteristics; and other factors which create practical difficulties in satisfying these lot size requirements as determined by the Department of Environmental Protection and Resource Management.
2. Lots created within RC-2 and RC-4 zoned land shall not be located on prime and productive soils as referenced in the Baltimore County Soil Survey unless it is demonstrated that no other suitable area for lot placement exists and the location of lots shall not seriously impact the utility of a farming operation or significantly diminish the agricultural land resources.
3. In regard to prime and productive soils within RC-4 zoned land, the residential density calculated shall be the same as for RC-2. In addition, provisions for lot size and location in regard to all lots allowed within RC-4 zoned areas shall be similar to #1 and #2 above.

In regard to areas zoned RC-2, RC-3 and RC-4 outside of "Agricultural Preservation Areas" the following provisions shall apply:

1. RC-2 zoned land will be administered in a similar fashion as outlined for "Agricultural Preservation Areas". (See above.)
2. RC-4 zoning will be amended as follows:
 - a) Lot size is not to exceed 60,000 square feet nor be less than 25 acres unless the accommodation of on-lot sewer and/or water requires additional acreage except that variances can be made in regard to these standards based on sewerage and water system requirements; unique physical characteristics of the site; adjacent development characteristics; and other factors which create practical difficulties in satisfying these lot size requirements as determined by the Department of Environmental Protection and Resource Management.
 - b) Lots can be placed on prime and productive soils if it is demonstrated that this will promote reservoir watershed protection by locating lots a greater distance from watercourses including floodplains, seeps and springs and by avoiding the location of lots on steep slopes (>15%). (The primary purpose of RC-4 outside of the "Agricultural Preservation Areas" is to promote watershed protection, albeit, wherever possible prime and productive soils shall be protected.)
 - c) Clustering shall be required wherever possible.
3. RC-3 zoning shall be amended so that lot size shall not exceed one (1) acre or be less than 25 acres. Clustering of lots shall be required wherever possible. Lots shall be excluded from prime and productive soils unless it is demonstrated that no other suitable location exists.

DISC #4: "INTERIM.APP" TJG 4-2-90



CERTIFICATE OF PUBLICATION

TOWSON, MD., April 30, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 25, 1990.

TOWSON TIMES,

S. Zebe Orleans
Publisher

PO 104491

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 30, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 26, 1990.

THE JEFFERSONIAN,

S. Zebe Orleans
Publisher

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Garrett Power, Item No. 293

DATE: April 25, 1990

The Petitioner requests a Special Hearing to determine that a proposed subdivision of 21.160 acres, more or less, of R.C.-2 zoned is permissible.

Staff supports the Petitioner's request provided that the following conditions are met:

- The Department of Environmental Protection and Resource Management shall approve any future subdivisions of the parcels for residential use and determine if the development is in accordance with the guidelines of the prime and productive soil regulations (Bill 134-89).
- The Petitioner shall investigate the possibility of participating in the Maryland Agricultural Preservation Program.
- The Director of the Office of Planning and Zoning shall approve the location of any proposed dwellings in order to ensure protection of scenic views and harmony with the National Historic District.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

APR 27 1990

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3353

April 11, 1990

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing
CASE NUMBER: 90-453-SPH
Centerline J. M. Pearce Road, 1547' S of Sheppard Road
10th Election District - 3rd Councilmatic
Legal Owner(s): Garrett Power
Contract Purchaser(s): Robert C. Kellner, et al
HEARING: FRIDAY, MAY 25, 1990 at 9:30 a.m.

Special Hearing: To determine that a proposed subdivision of 21.160 acres more or less of R.C.-2 zoned land located in the Tenth Election District of Baltimore County ("Land") described on Schedule A, is permissible so that (i) the west portion of the subdivided land will be combined with the 38.257 acres presently owned by Carl A. and Varrell P. Larson and the combined parcel may be subdivided into three building lots (two of such lots being derived from the 38.257 acres they presently own and the third being derived from the 21.160 acres at issue herein) and (ii) the east portion of the subdivided land will be combined with the 7.58 acres presently owned by Robert C. and Lou Ann Kellner and the combined parcel may be subdivided into two building lots (such right being derived from the 7.58 acres they presently own), and to amend the Zoning Case #89-383-SPH.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Garrett Power
Robert C. Kellner
Neil J. Schechter, Esq.
Varrell Power Larson
Carl Alfred Larson

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 406
Towson, Maryland 21204
(301) 887-3554

March 23, 1990



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 293, 294, 295, 296, 297, 298, 299, 301, 302, 303, 304, 305, and 306.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc. II

MSF/lw

RECEIVED
MAR 27 1990

ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 14, 1990



Dennis F. Rasmussen
County Executive

Neil J. Schechter, Esquire
Garrett Building
233 E. Redwood Street
Baltimore, MD 21202

RE: Item No. 293, Case No. 90-453-SPH
Petitioner: Garrett Power, et al
Petition for Special Hearing

Dear Mr. Schechter:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Robert C. Kellner
Mr. Garrett Power

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 293, Zoning Advisory Committee Meeting of March 27, 1990

Property Owner: Garrett Power

Location: Centerline J.M. Pearce Rd, 1547' S of Sheppard Rd District: 10

Water Supply: private Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any chandelier generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations for more complete information, contact the Division of Material and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been _____, must be _____, conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____.
- () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others _____

D. Rasmussen
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
28th day of March, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Garrett Power, et al

Petitioner's Attorney: Neil J. Schechter

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

March 21, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: GARRETT POWER

Location: CENTERLINE J.M. PEARCE ROAD

Item No.: 293 Zoning Agency: MARCH 27, 1990

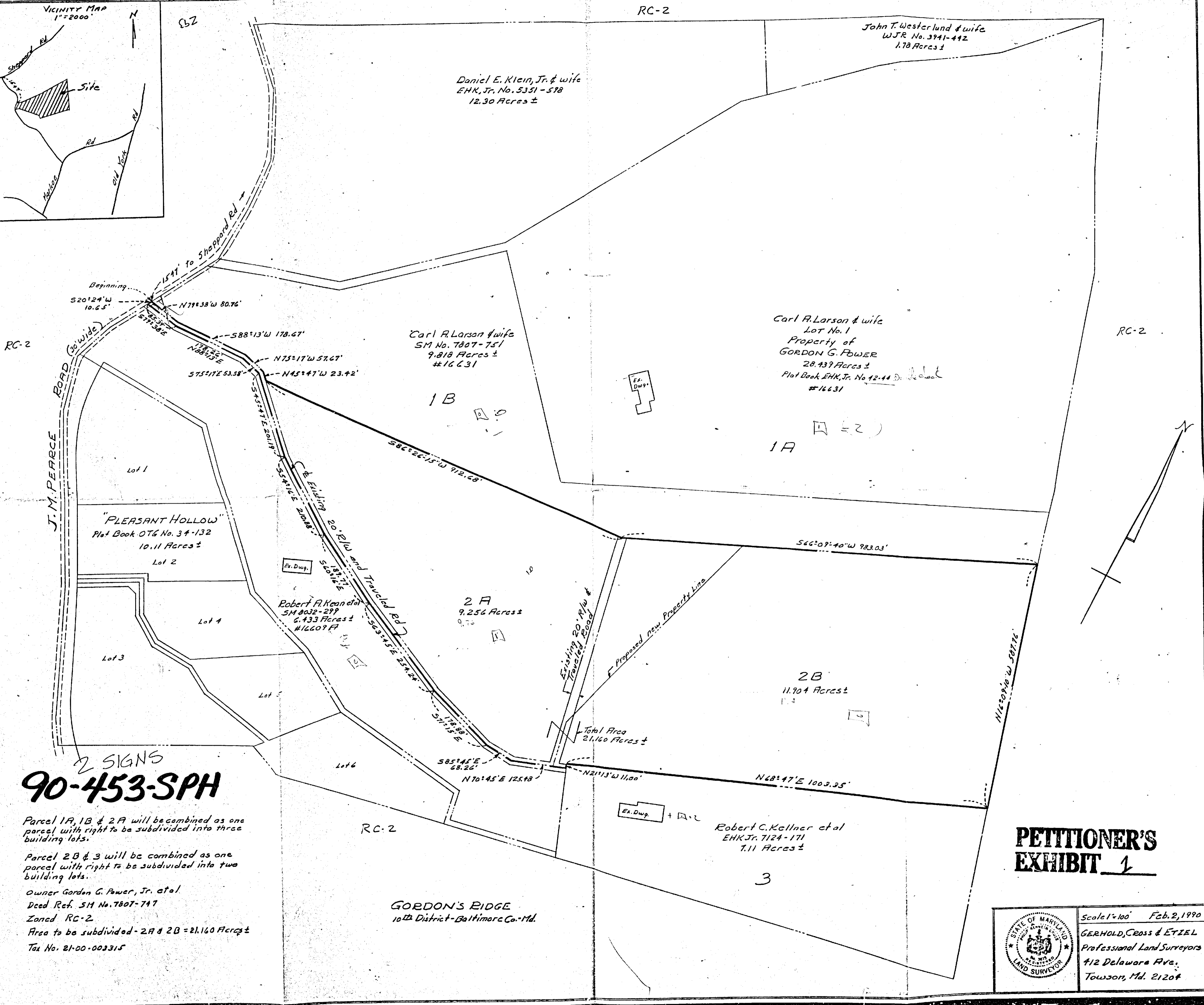
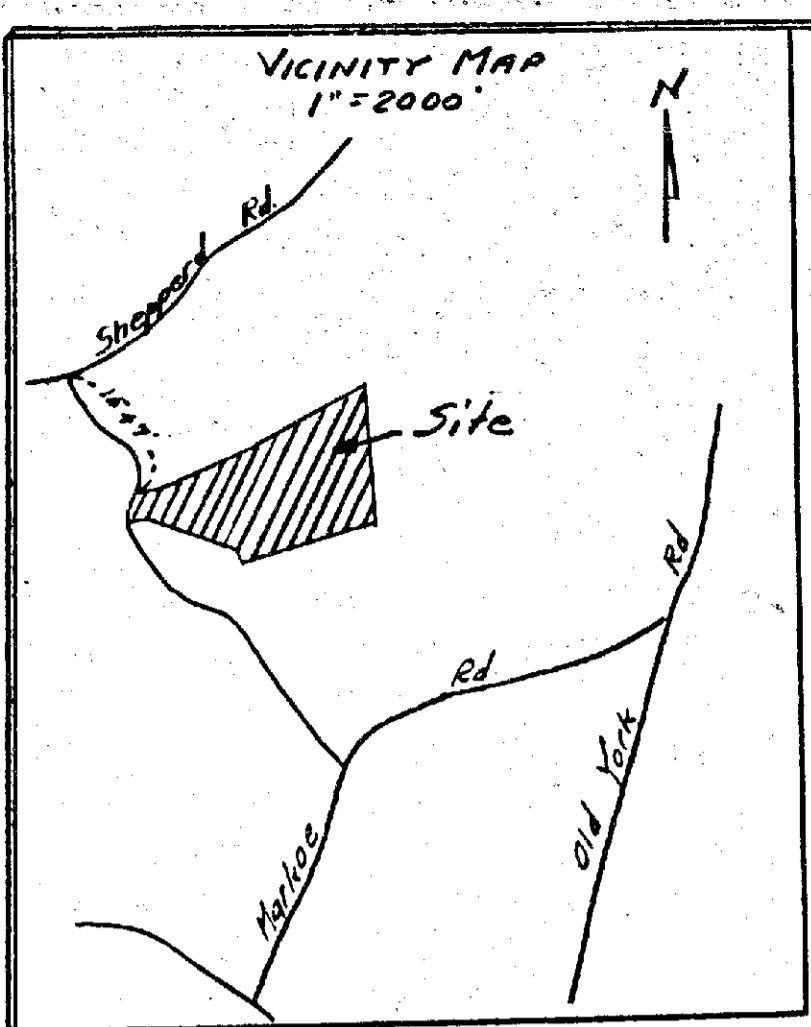
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Paul H. Reincke Noted and Approved: D.W.F. Book
Planning Group File Prevention Bureau
Special Inspection Division

JK/REK



2 SIGNS
90-453-SPH

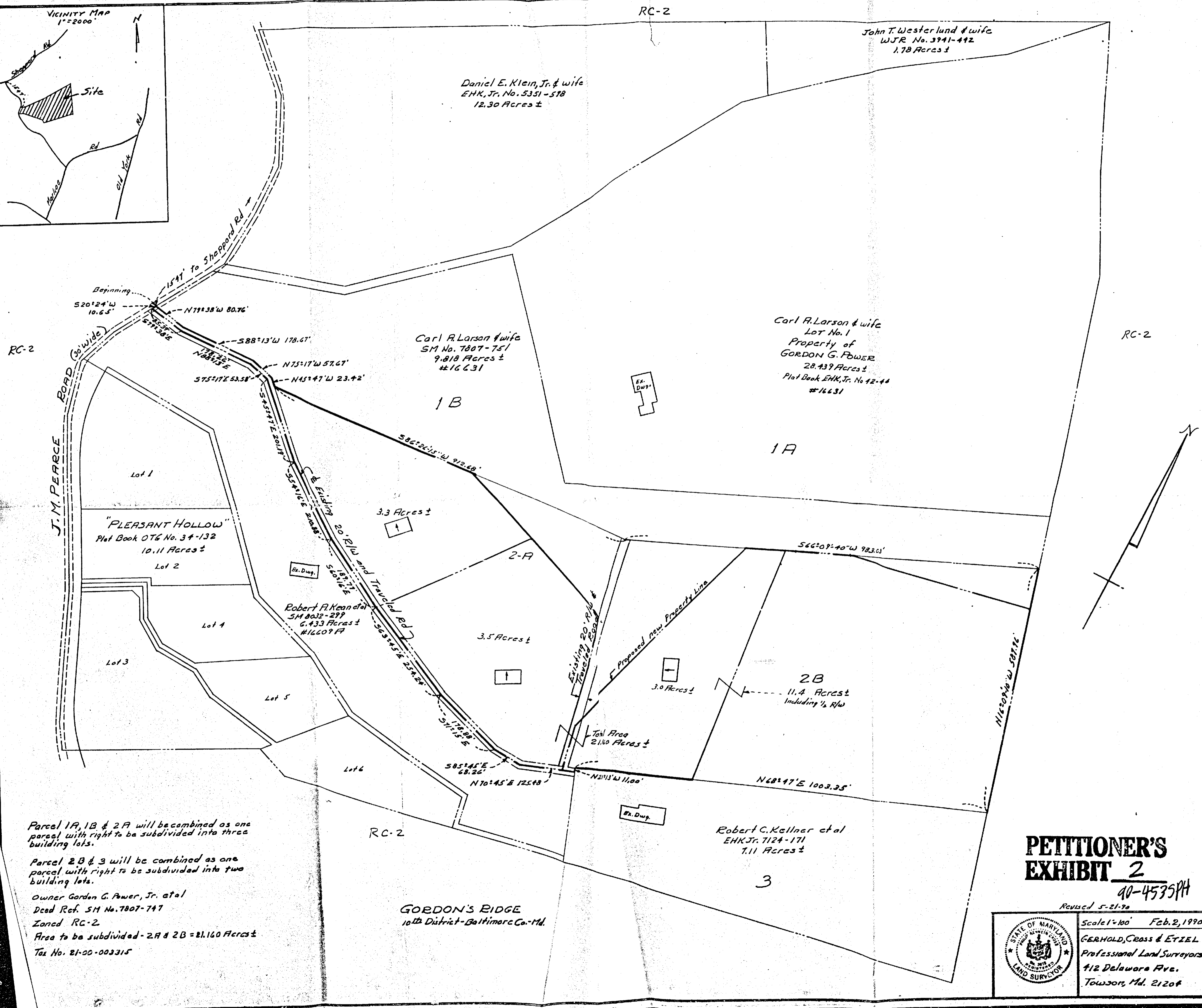
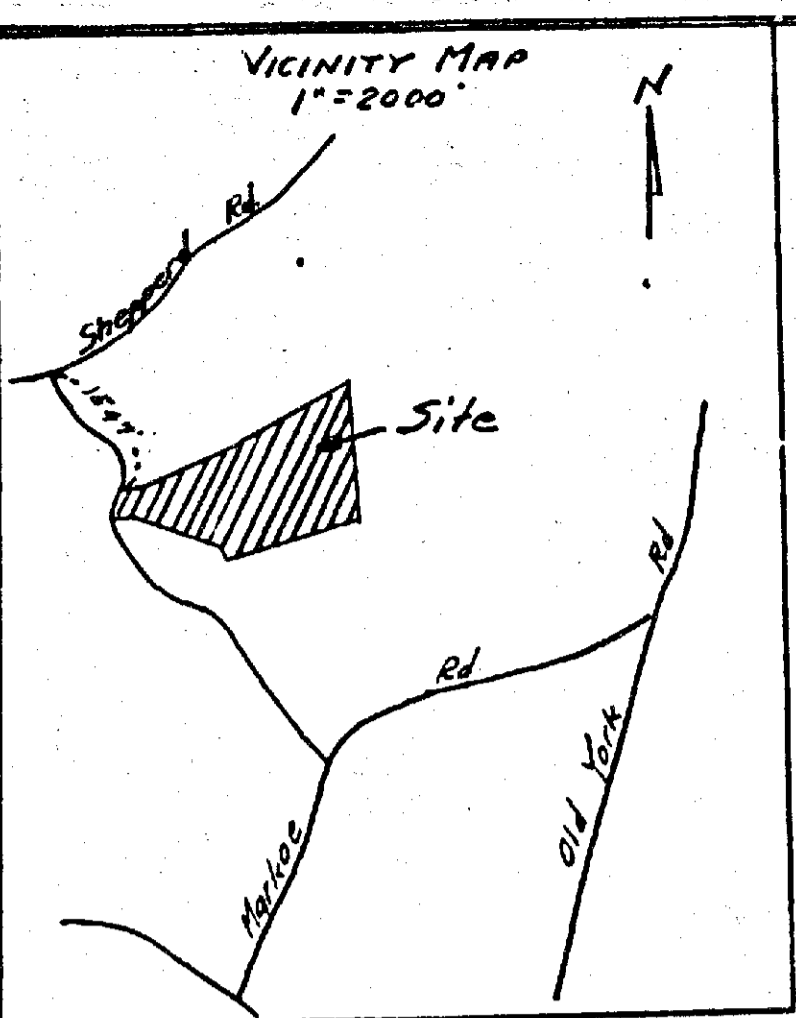
Parcel 1A, 1B, & 2A will be combined as one parcel with right to be subdivided into three building lots.

Parcel 2B & 3 will be combined as one parcel with right to be subdivided into two building lots.

Owner Gordon G. Power, Jr. et al
Decd Ref. SM No. 7807-747
Zoned RC-2
Area to be subdivided - 2A & 2B = 21.160 Acres ±
Tax No. 21-00-003315

**PETITIONER'S
EXHIBIT 1**

	Scale 1"=100'	Feb. 2, 1990
	GERHOLD, Cross & ETZEL	
	Professional Land Surveyors	
	412 Delaware Ave. Towson, Md. 21204	



Parcel 1A, 1B & 2A will be combined as one parcel with right to be subdivided into three building lots.

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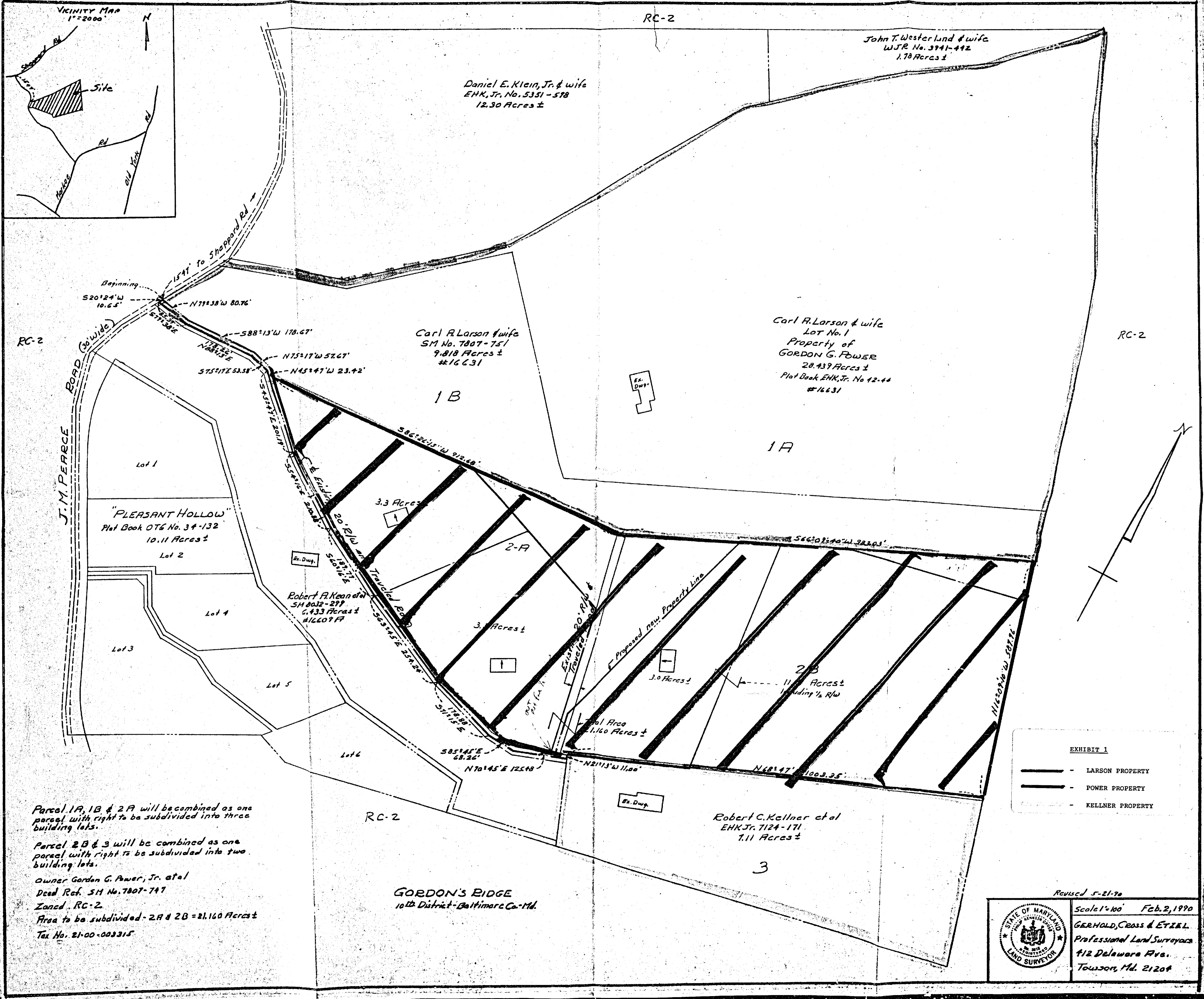
Owner Gordon G. Power, Jr. et al
Decd Ref. SM No. 7807-747
Zoned RC-2
Area to be subdivided - 2A & 2B = 21.160 Acres ±
Tax No. 21-00-003315

PETITIONER'S EXHIBIT 2
40-4535PH

Revised 5-21-90

Scale 1"=100' Feb. 2, 1990

GERHOLD, Cross & ETZEL
Professional Land Surveyors
412 Delaware Ave.
Towson, Md. 21204



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